

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 23, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KATHLEEN M. SWOBODA,

Plaintiff,

v.

DENIS MCDONOUGH,¹ Secretary of
the Department of Veterans Affairs,

Defendant.

No. 2:21-cv-00069-SMJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is Magistrate Judge Rodgers's February 1, 2021 Report and Recommendation, ECF No. 4, recommending that this Court (1) deny Plaintiff's Application to Proceed *In Forma Pauperis*, ECF No. 2, and (2) require Plaintiff to pay the filing fee and administrative fee in full within thirty (30) days of an Order adopting this Report and Recommendation. No objections have been filed, and Plaintiff has paid the filing fee.

¹ Denis McDonough has succeeded Robert Wilkie as the Secretary of Veterans Affairs.

1 After reviewing the Report and Recommendation and relevant authorities,
2 the Court finds the Magistrate Judge's findings are correct. Therefore, the Court
3 adopts the Report and Recommendation in its entirety.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. The Report and Recommendation, **ECF No. 4**, is **ADOPTED** in its
6 entirety.


7 2. Plaintiff's Application to Proceed *In Forma Pauperis*, **ECF No. 2**, is
8 **DENIED**.

9 3. Plaintiff's Motion for Appointment of Pro Bono Counsel, **ECF No. 5**,
10 is **DENIED**.

11 4. Denis McDonough has succeeded Robert Wilkie, as the Secretary of
12 Veterans Affairs. Accordingly, this Court **SUBSTITUTES**
13 Denis McDonough for Robert Wilkie as a Defendant in this matter
14 under Fed. R. Civ. P. 25(d). The Clerk's Office is directed to **AMEND**
15 the caption accordingly.

16 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
17 provide copies to all counsel, *pro se* Plaintiff, and Magistrate Judge Rodgers.

18 **DATED** this 23rd day of February 2021.

19 
20 **SALVADOR MENDEZ, JR.**
United States District Judge